

IN RE: PETITION FOR ZONING VARIANCE • BEFORE THE
W/S Lawnwood Circle, 155 ft. • ZONING COMMISSIONER
N of c/l Sauter Lane •
2124 Lawnwood Circle • OF BALTIMORE COUNTY
2nd Election District •
2nd Councilmanic District • Case No. 92-73-A
Alfred Buie, et ux •
Petitioners •

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request, pursuant to the Petition for Zoning Variance filed herein, a variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open projection (carport) to be located 1 ft. from the property line, in lieu of the required 6 ft.; a variance from Section 504.2 (CMOP VB613) for a window to property line setback of 12 ft., in lieu of the required 15 ft.; and to amend the Second Amended Partial Development Plan, Section 1 of the Lawnwood Subdivision, to permit construction outside of the building envelope. The requested variances and amendment are more particularly described on Petitioners' Exhibit No. 1, a site plan of the property.

Appearing at the hearing were the Petitioners/property owners, Alfred and Estella Buie. Both Mr. and Mrs. Buie testified as to their need for the variances and described the proposed improvements. Appearing in opposition to the Petition was Mary Johnson, the mother of an immediate next door neighbor, Dianne J. McCutchen. The Commissioner also received a letter from Ms. McCutchen stating that she was unavailable for the hearing and expressing her opposition to the Petition.

Testimony offered at the hearing established that the subject property is zoned D.R.5.5 and is known as 2124 Lawnwood Circle. The lot is long

and narrow in size and is irregularly shaped to the rear. The frontage of the lot upon Lawnwood Circle is 56.5 ft. wide.

In October of 1988, the Petitioners applied for and received a building permit for a carport abutting the right side of the dwelling, as one is facing the lot from Lawnwood Circle. The permit was issued notwithstanding the fact that a side yard setback variance was required. The Petitioners now seek this variance to legitimize that construction. Further testimony indicated that the present location of the carport is the only place on the lot where same could be constructed. The lot is so configured as to contain no appreciable side yard distance and the carport's location is certainly appropriate. Therefore, that variance will be granted.

The second variance requested pertains to a two story addition built on the rear of the property. Again, the Petitioners previously received a building permit for that construction in February of 1991, without first obtaining the necessary variance for the window to property line setback. It is this request to which Ms. McCutchen objects. According to the testimony offered by her mother, the window on the side of the property visually intrudes upon her enjoyment of her back yard and pool. Further, she commented that none of the other dwellings within this community contain windows on the side due to the close proximity of the houses within the subdivision. The Petitioner acknowledged that he had initially placed two windows on the side of the addition, however, due to the complaints of his neighbor, had removed one.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his

property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, the requested variance for the window to side yard setback would be detrimental to the public health, safety and general welfare, if granted.

Lastly, the request for the amendment of the 2nd Amended Partial Development Plan, Section 1 of Lawnwood, will be granted in a manner consistent with this Order; that is, the two story addition, existing deck to the rear of the property and carport are all permitted at their location outside of the building permit. However, the addition shall be altered so as to delete any windows facing the side yard, as per the reasons set forth in addressing that variance.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted in part and denied in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of Oct, 1991 that, pursuant to the Petition

for Zoning Variance, a variance from Section 504.2 (CMOP VB613) of the Baltimore County Zoning Regulations (B.C.Z.R.) for a window to property line setback of 12 ft., in lieu of the required 15 ft., in accordance with Petitioner's Exhibit 1, be and is hereby DENIED; and,

IT IS FURTHER ORDERED that a variance from Section 301.1 of the B.C.Z.R. to allow an open projection (carport) to be located 1 ft. from the property line, in lieu of the required 6 ft., and to amend the 2nd Amended Partial Development Plan, Section 1 of the Lawnwood Subdivision, to permit construction outside of the building envelope is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES/mnn
cc: Peoples Counsel

ORDER RECEIVED FOR FILING
Date 10/18/91
By W. J. Smith

ORDER RECEIVED FOR FILING
Date 10/18/91
By W. J. Smith

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Date 10/18/91
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Date 10/18/91
By W. J. Smith

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, MD 21204

October 17, 1991

Mr. and Mrs. Alfred Buie
2124 Lawnwood Circle
Baltimore, Maryland 21207

RE: Petition for Zoning Variance
Case No. 92-73-A

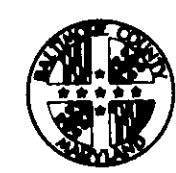
Dear Mr. and Mrs. Buie:

Enclosed please find the decision rendered in the above captioned case. The Petition for Zoning Variance has been granted in part and denied in part, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,
Lawrence E. Schmidt
Zoning Commissioner

LES:mnn
att:
cc: Peoples Counsel
cc: Protestant



Petition for Variance

to the Zoning Commissioner of Baltimore County

92-73-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to allow an open projection (carport) to be located 1 foot from property line in lieu of the required 6 feet, and to amend the 2nd Amended Partial Development Plan, Section 1 of the Lawnwood Subdivision, to permit construction outside the building envelope. The requested variances and amendment are more particularly described on Petitioners' Exhibit No. 1, a site plan of the property. The Petitioners request that the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

Carport can only be placed on right side of house since driveway apron and parking pad is already located there. This is the only logical place for the carport. Windows needed for air-circulation and light. They are on the second floor only.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

I, We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Legal Owner(s):

ALFRED BUIE

ESTELLA BUIE

ESTELLA BUIE

(Type or Print Name)

Signature

Address

City and State

2124 LAWNWOOD CIRCLE 298-1126 HOME

BALTIMORE 638-1130 WORK

CITY AND STATE 21207

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Same

Name

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

Address

City and State

Attorney's Telephone No.:

ZONING DESCRIPTION

Beginning at a point on the west side of Lawnwood Circle which is 50' wide at the distance of 155' north of the centerline of the nearest improved intersecting street, Sauter Lane which is 50' wide (or 650' north to the centerline of Windsor Mill Road which is 50' wide), being Lot #5, Block 8, Section 1 in the subdivision of Lawnwood as recorded in Baltimore County Plat Book #53, Folio 121, containing 8,193 sq. ft. Also known as 2124 Lawnwood Circle and located in the 2nd Election District and the 2nd Councilmanic District.

92-73-A

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 2nd Date of Posting: 9-23-91
Posted for: Variance
Petitioner: Alfred Buie, et ux
Location of property: 2124 Lawnwood Circle, 2nd Election District, Baltimore County, Maryland
Location of Sign: Corner of 21st and Lawnwood Circle
Remarks:
Posted by: L. E. Schmidt Date of return: 9-27-91
Number of Signs: 1

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and authority of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204, as follows:
Case Number: 92-73-A
2124 Lawnwood Circle
2nd Election District
2nd Councilmanic District
Petitioner: Alfred Buie, et ux
Hearing Date: Tuesday, Oct. 16, 1991 at 2:00 p.m.
Variances to allow an open projection (carport) to be located 1 foot from property line in lieu of the required 6 feet; to amend the Second Amended Partial Development Plan, Section 1, to permit construction outside of the building envelope; and to permit a variance to property the setback of 12 feet in lieu of the required 15 feet.
Zoning Commissioner of Baltimore County
OCT/US/02B September 12

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. 19...
THIS IS TO CERTIFY, that the annexed advertisement was published in OWINGS MILLS TIMES, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 19...

OWINGS MILLS TIMES,
S. Zeke Orlean
Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 92-73-A
W/S Lamwood Circle, 155' N of C/I Sauter Lane
2123 Lamwood Circle
2nd Election District
2nd Councilmanic
Petitioner(s): Alfred Buie, et ux
Hearing Date: Tuesday, Oct. 16, 1991 at 2:00 p.m.

Variance: to allow an open projection (carport) to be located 1 foot from property line in lieu of the required 6 feet; to amend the Second Amended Partial Development Plan, Section 1, to permit construction outside of the building envelope; and to permit a window to property line setback of 12 feet in lieu of the required 15 feet.

Zoning Commissioner of Baltimore County
CMT/JG/MS September 12

CERTIFICATE OF PUBLICATION

TOWSON, MD., 19

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 19

THE JEFFERSONIAN,

S. Zake Olson

Publisher



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Item 69

ALFRED AND ESTELLA BUIE
2124 LAMWOOD CIRCLE
BALTIMORE, MARYLAND 21207

04A06W0095WICWEC
BA CO10:20A00B-13-91 \$60.00
Please Make Checks Payable To: Baltimore County



Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

Account R-001-6150
Number

Please Make Checks Payable To: Baltimore County

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-4354

DATE: 9-13-91

Alfred and Estella Buie
2124 Lamwood Circle
Baltimore, Maryland 21207

RE:
CASE NUMBER: 92-73-A
W/S Lamwood Circle, 155' N of C/I Sauter Lane
2123 Lamwood Circle
2nd Election District - 2nd Councilmanic
Petitioner(s): Alfred Buie, et ux
HEARING: TUESDAY, OCTOBER 15, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$160.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-4354

AUGUST 23, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

CASE NUMBER: 92-73-A
W/S Lamwood Circle, 155' N of C/I Sauter Lane
2123 Lamwood Circle
2nd Election District - 2nd Councilmanic
Petitioner(s): Alfred Buie, et ux
HEARING: TUESDAY, OCTOBER 15, 1991 at 2:00 p.m.

Variance: to allow an open projection (carport) to be located 1 foot from property line in lieu of the required 6 feet; to amend the Second Amended Partial Development Plan, Section 1, to permit construction outside of the building envelope; and to permit a window to property line setback of 12 feet in lieu of the required 15 feet.

J. Robert Hince

Zoning Commissioner of
Baltimore County

cc: Alfred and Estella Buie
William Bittner

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-4354

October 1, 1991

Mr. & Mrs. Alfred Buie
2124 Lamwood Circle
Baltimore, MD 21207

RE: Item No. 69, Case No. 92-73-A
Petitioner: Alfred Buie, et ux
Petition for Variance

Dear Mr. & Mrs. Buie:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

887-4354

Your petition has been received and accepted for filing this
29th day of July, 1991.

ARNOLD JABLON
DIRECTOR

Received By:

JAMES E. DYER
Chairman,
Zoning Plans Advisory Committee

Petitioner: Alfred Buie, et ux

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 13, 1991
Zoning Administration and
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: HELBING Property, Item No. 53
Smith Property, Item No. 64
McClure Property, Item No. 65
Boehnlein Property, Item No. 66
Marx Property, Item No. 68
Buie Property, Item No. 69
Pulaski Property, Item No. 70
Wollschlager Property, Item No. 72
Bray Property, Item No. 74
Graves Property, Item No. 75
Sylvia Property, Item No. 76
Long Property, Item No. 78
Pearl Property, Item No. 79
Casey Property, Item No. 80
Edwards Property, Item No. 81
Tyson Property, Item No. 85
Skidmore Property, Item No. 88
Williams Property, Item No. 89
Restivo Property, Item No. 90
Didier Property, Item No. 97
Wesolowski Property, Item No. 102
Griffin Property, Item No. 103
Burgwin Property, Item No. 104
Ghent Property, Item No. 110
Lings Property, Item No. 111
Bates Property, Item No. 112
Bond Property, Item No. 115

In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/rdn

ITEM47/TXTROZ

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21204-5500

(301) 887-4500

SEPTEMBER 16, 1991

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: ALFRED BUIE

Location: #2124 LAMWOOD CIRCLE

Item No.: 69 Zoning Agenda: AUGUST 27, 1991

Centlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/RFK

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE
September 27, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING
FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,
DEPARTMENT OF PERMITS & LICENSES
SUBJECT: ZONING ITEM #: 69
PROPERTY OWNER: Alfred Buie, et ux
LOCATION: 2124 Lawnwood Circle, 155' N of centerline
Sauter Lane (#2124 Lawnwood Circle)
ELECTION DISTRICT: 2nd
COUNCILMANIC DISTRICT: 2nd

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- () PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- () PARKING LOCATION () RAMPS (degree slope)
- () NUMBER PARKING SPACES () CURB CUTS
- () BUILDING ACCESS () SIGNAGE
- (✓) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- (✓) A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- () A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- () STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- () OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN, A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.
APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: September 4, 1991
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting
For August 27, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 53, 62, 64, 65, 66, 68, 70, 71, 72, 75, 76, 77, 78, 79 and 80.

For Item 67, this site must be submitted through the minor subdivision process for review and comments.

For Item 69, if maintenance or repair is required on the existing 16-inch drain along the east property line, Baltimore County may require the removal of the car port at the owner's expense.

For Item 74, this site is subject to the previous minor subdivision comments.

Robert W. Bowling
ROBERT W. BOWLING, P.E., C.E.
Developers Engineering Division

DWB:s

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: October 3, 1991

TO: Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
FROM: Rahee J. Famili
SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: August 27, 1991

This office has no comments for item numbers 53, 64, 65, 66, 67, 68, 69, 70, 71, 74, 75, 76, 77, 78, 79 and 80.

Rahee J. Famili
Rahee J. Famili
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Joseph Nolan DATE: July 30, 1991
Assistant Building Engineer
Department of Permits & Licenses
FROM: Laurence J. Goetz
Planner
Zoning Administration & Development Control
SUBJECT: 2124 Lawnwood Circle
B-082268
Stop Work Order G-003963

After a filing meeting with the applicants, Alfred & Estela Buie, our office has decided to allow them to continue work on their addition. They must, however, cover the windows on the inside with plywood. They have agreed to this condition.

Upon results of their petition for side windows within 13' of the property line, with the Zoning Commissioner, they will either be allowed to use the windows or must remove them completely.

Please hold final occupancy until the decision of the commissioner is final.

KSC/jat
cc: Derek Propolis, Zoning Enforcement - C-91-2664

Mr. & Mrs. Alfred Buie
2124 Lawnwood Circle
Baltimore, Md. 21207

Jim Ashe

92-73-A

ZONING ENFORCEMENT Baltimore County
Zoning Office
Towson, Maryland 21204

92-73-A

INTER-OFFICE CORRESPONDENCE

TO: James E. Dyer DATE: August 22, 1991
Zoning Supervisor
FROM: James H. Thompson
Zoning Enforcement Coordinator
RE: Item No. 69
Petitioner: Alfred and Estella Buie

VIOLATION CASE NO. C-91-2664

LOCATION OF VIOLATION 2124 LAWNWOOD CIRCLE

DEFENDANT ALFRED AND ESTELLA BUIE

ADDRESS 2124 LAWNWOOD CIRCLE

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

NAME ADDRESS
WILLIAM BITTNER 2128 LAWNWOOD CIRCLE, BALTIMORE, MD 21207

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

cc: Owen Stephens
Development Control

ljs/

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

November 29, 1991

Mr. Gary W. Armstrong
6805 Sauter Lane
Baltimore, Maryland 21207

RE: 2124 Lawnwood Circle
Zoning Case No. 92-73-A
Alfred Buie, et ux, Petitioners

Dear Mr. Armstrong:

This is to acknowledge your letter dated November 10, 1991.

For your reference, I am enclosing herewith a copy of my Findings of Fact and Conclusions of Law relative to this matter dated October 18, 1991. As indicated therein, Mr. and Mrs. Buie filed a Petition for Zoning Variance with Baltimore County, relative to the improvements on their property. Within that Petition, they requested permission to legitimize an existing carport attached to the side of the dwelling, so that same could be located 1 ft. from the property line. Secondly, they requested a variance so as to permit a window on the side of an addition which had been constructed to the dwelling. In all other respects, their construction was in accordance with Baltimore County Regulations and Standards.

Due to their Petition, the matter was set for a public hearing which was held before me on October 15, 1991. This hearing was advertised by the posting of the sign on the property and by advertisement in two local Baltimore County newspapers. Any interested member of the public was invited and encouraged to attend. As I recall, only one individual appeared in opposition to the Petition. That was Mary Johnson, the mother of the immediate next door neighbor, Dianne J. McCutchen.

As is indicated in the attached Findings of Facts and Conclusions of Law, I denied that part of Mr. and Mrs. Buie's Petition which requested a variance to permit a window on the addition. Thus, Mr. Buie is required to remove the window in the addition he had constructed which faces his neighbor's property. I granted, however, that portion of the Petition requesting approval of the carport. As is further indicated within the Order, anyone who was dissatisfied with my opinion could file an appeal of same to the Board of Appeals of Baltimore County within 30 days.

Mr. Melvin G. Mintz
Councilman, Second District
County Council of Baltimore County
Court House
Towson, MD 21204

Dear Councilman Mintz:

I am home owner residing at 2122 Lawnwood Circle, Baltimore, MD 21207. I've resided at this address since the conception of this development.

The construction in question has become an eye soar for myself, my family and my guest. This obstruction limits all view of nature's beauty and the adjacent properties. The need for already constructed privacy fencing has become obsolete! The window in the construction is situated directly adjacent my bedroom and master bathroom; allowing no privacy.

Finally the use of our pool has changed its value in lieu of a public type swimming accommodations.

In regards to this zoning variance, Re: 92-73-A Item #69, I hereby request that this request be denied.

Sincerely,
Diane McCutchen
Diane McCutchen

RECEIVED
OCT 15 1991
ZONING OFFICE

Item 69 *8/15/91*
A hearing officer **92-73-A**
Mr. Buie applied for a building permit
BC 4856 83 and was granted a permit 10/14/83
for a carport with a 1' setback, signed an error
by this department.

His second permit B082268 for a room
addition was approved 2/13/91, for over the
phone from a trench office

Subsequent complainant investigation revealed
a window to property line deficiency of
12' on basis of 15'.

Copies of documents attached

Larry Prock

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME: Mary Johnson for ADDRESS: 2122 Lawnwood Circle
Dianne J. McCutchen Balt MD 21207



Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 2124 LAWNWOOD CIRCLE see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: LAWNWOOD

plat book: 53, folio: 121, lot: 5, section: 1, block: 6

OWNER: BUE, Alfred & Eschola

92-73-A

← 155' TO SAUTER LN

56.5'

LAWNWOOD CIRCLE

Scale of Drawing: 1" = 30'

LOCATION INFORMATION

Councilmanic District: 2

Election District: 2

1"-200' scale map: NW

Zoning: DR 5.5

Lot size: 8,193 ± square feet

SEWER: ☒ WATER: ☒

Chesapeake Bay Critical Area: ☒

Prior Zoning Hearings: NONE

Zoning Office USE ONLY!

reviewed by: LG ITEM #: 69 CASE #:

6805 Sauter Lane
 Est. no. 111 21207
 November 10, 1991

Zoning Commissioner
 111 West Chesapeake Ave
 Towson Maryland 21204

2/29-92

Dear Mr. Lawrence E. Schmitt:

Recently I was inform that my property value would go down because of the new structure at 2124 Lawnwood Circle. The new structure is an eye sore. It faces the back left side of my new home. My realtor encouraged me on my selection of property at 6805 Sauter Lane. They said that I had made a wise investment. The whole area was beautiful. I regret having my property value in jeopardy! Please, if there is anything that can be done to remedy the situation at 2124 Lawnwood Circle it would be appreciated. I only hope that my neighbors would be more considerate of others before they attempt to build such a structure in the future!

Thank you

P.S. Petition for Zoning Variance
 Case # 92-73-A

Concerned Neighbor
 Mary W. Armstrong

RECEIVED
 NOV 13 1991

ZONING OFFICE